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FILED

07 OCT 29 AM 9:10  
RICHARD M. WICKING  
U.S. DISTRICT COURT  
SAN JOSE, CALIFORNIA

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E-FILING

10 Attorneys for Plaintiff,  
Sun Microsystems, Inc.

11 UNITED STATES DISTRICT COURT  
12 NORTHERN DISTRICT OF CALIFORNIA  
13 SAN JOSE DIVISION

JW

14 SUN MICROSYSTEMS, INC., a Delaware  
15 corporation,

CASE NO.

C 07 05448 RS

PLAINTIFF SUN MICROSYSTEMS,  
INC.'S DECLINATION TO PROCEED  
BEFORE A MAGISTRATE JUDGE  
AND  
REQUEST FOR REASSIGNMENT TO A  
UNITED STATES DISTRICT

16 Plaintiff,

17 v.

18 NETWORK APPLIANCE, INC., a  
19 Delaware corporation,

Defendant.

22 REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE.

23 The undersigned party hereby declines to consent to the assignment of this case to a  
24 United States Magistrate Judge for trial and disposition and hereby requests the reassignment of  
25 this case to a United States District Judge.

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1 Dated: October 29, 2007

2 DLA PIPER US LLP

3 By Carrie L. Williamson

4 Mark D. Fowler  
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